

Attorney Docket No.

MERCHANT & GOULD P.C.
United States Patent Application
COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

STRUCTURE OF DOOR OPENING/CLOSING APPARATUS

The specification of which

a. ☒ is attached hereto

b. ☐ was filed on _____ as application serial no. _____ and was amended on _____ (if applicable) (in the case of a PCT-filed application) described and claimed in international no. _____ filed _____ and as amended on _____ (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a. ☐ no such applications have been filed.

b. ☒ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
Japan	2002-222977	31 July, 2002	
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)

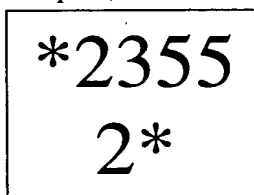
I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Albrecht, John W.	Reg. No. 40,481	Kowalchyk, Katherine M.	Reg. No. 36,848
Ali, M. Jeffer	Reg. No. 46,359	Lacy, Paul E.	Reg. No. 38,946
Anderson, Gregg I.	Reg. No. 28,828	Larson, James A.	Reg. No. 40,443
Batzli, Brian H.	Reg. No. 32,960	Liepa, Mara E.	Reg. No. 40,066
Beard, John L.	Reg. No. 27,612	Lindquist, Timothy A.	Reg. No. 40,701
Berns, John M.	Reg. No. 43,496	Lycke, Lawrence E.	Reg. No. 38,540
Black, Bruce E.	Reg. No. 41,622	McAuley, Steven A.	Reg. No. 46,084
Branch, John W.	Reg. No. 41,633	McDonald, Daniel W.	Reg. No. 32,044
Bremer, Dennis C.	Reg. No. 40,528	McIntyre, Jr., William F.	Reg. No. 44,921
Bruess, Steven C.	Reg. No. 34,130	Mueller, Douglas P.	Reg. No. 30,300
Byrne, Linda M.	Reg. No. 32,404	Pauly, Daniel M.	Reg. No. 40,123
Campbell, Keith	Reg. No. P-46,597	Phillips, Bryan K.	Reg. No. P-46,990
Carlson, Alan G.	Reg. No. 25,959	Phillips, John B.	Reg. No. 37,206
Caspers, Philip P.	Reg. No. 33,227	Plunkett, Theodore	Reg. No. 37,209
Chiapetta, James R.	Reg. No. 39,634	Prendergast, Paul	Reg. No. 46,068
Clifford, John A.	Reg. No. 30,247	Pytel, Melissa J.	Reg. No. 41,512
Daignault, Ronald A.	Reg. No. 25,968	Qualey, Terry	Reg. No. 25,148
Daley, Dennis R.	Reg. No. 34,994	Reich, John C.	Reg. No. 37,703
Dalglish, Leslie E.	Reg. No. 40,579	Reiland, Earl D.	Reg. No. 25,767
Daulton, Julie R.	Reg. No. 36,414	Schmaltz, David G.	Reg. No. 39,828
DeVries Smith, Katherine M.	Reg. No. 42,157	Schuman, Mark D.	Reg. No. 31,197
DiPietro, Mark J.	Reg. No. 28,707	Schumann, Michael D.	Reg. No. 30,422
Edell, Robert T.	Reg. No. 20,187	Scull, Timothy B.	Reg. No. 42,137
Epp Ryan, Sandra	Reg. No. 39,667	Sebald, Gregory A.	Reg. No. 33,280
Glance, Robert J.	Reg. No. 40,620	Skoog, Mark T.	Reg. No. 40,178
Goggin, Matthew J.	Reg. No. 44,125	Spellman, Steven J.	Reg. No. 45,124
Golla, Charles E.	Reg. No. 26,896	Stoll-DeBell, Kirstin L.	Reg. No. 43,164
Gorman, Alan G.	Reg. No. 38,472	Sumner, John P.	Reg. No. 29,114
Gould, John D.	Reg. No. 18,223	Swenson, Erik G.	Reg. No. 45,147
Gregson, Richard	Reg. No. 41,804	Tellekson, David K.	Reg. No. 32,314
Gresens, John J.	Reg. No. 33,112	Trembath, Jon R.	Reg. No. 38,344
Hamer, Samuel A.	Reg. No. P-46,754	Underhill, Albert L.	Reg. No. 27,403
Hamre, Curtis B.	Reg. No. 29,165	Vandenburgh, J. Derek	Reg. No. 32,179
Harrison, Kevin C.	Reg. No. P-46,759	Wahl, John R.	Reg. No. 33,044
Hertzberg, Brett A.	Reg. No. 42,660	Weaver, Karrie G.	Reg. No. 43,245
Hillson, Randall A.	Reg. No. 31,838	Welter, Paul A.	Reg. No. 20,890
Holzer, Jr., Richard J.	Reg. No. 42,668	Whipps, Brian	Reg. No. 43,261
Johnston, Scott W.	Reg. No. 39,721	Wickhem, J. Scot	Reg. No. 41,376
Kadievitch, Natalie D.	Reg. No. 34,196	Williams, Douglas J.	Reg. No. 27,054
Karjeker, Shaikat	Reg. No. 34,049	Witt, Jonelle	Reg. No. 41,980
Kastelic, Joseph M.	Reg. No. 37,160	Wu, Tong	Reg. No. 43,361
Kettelberger, Denise	Reg. No. 33,924	Xu, Min S.	Reg. No. 39,536
Keys, Jeramie J.	Reg. No. 42,724	Zeuli, Anthony R.	Reg. No. 45,255
Knearl, Homer L.	Reg. No. 21,197		
Kowalchyk, Alan W.	Reg. No. 31,535		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

Please direct all correspondence in this case to Merchant & Gould P.C. at the address indicated below:

Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

201	Full Name Of Inventor	Family Name IHASHI	First Given Name Yoshitomo	Second Given Name
	Residence & Citizenship	City Wako-shi	State or Foreign Country Saitama, Japan	Country of Citizenship Japan
	Post Office Address	Post Office Address 4-1, Chuo 1-chome	City Wako-shi	State & Zip Code/Country Saitama, Japan
Signature of Inventor 201: <i>Yoshitomo Ihashi</i>			Date: July 10, 2003	
202	Full Name Of Inventor	Family Name	First Given Name	Second Given Name
	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
	Post Office Address	Post Office Address	City	State & Zip Code/Country
Signature of Inventor 202:			Date:	
203	Full Name Of Inventor	Family Name	First Given Name	Second Given Name
	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
	Post Office Address	Post Office Address	City	State & Zip Code/Country
Signature of Inventor 203:			Date:	
204	Full Name Of Inventor	Family Name	First Given Name	Second Given Name
	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
	Post Office Address	Post Office Address	City	State & Zip Code/Country
Signature of Inventor 204:			Date:	
205	Full Name Of Inventor	Family Name	First Given Name	Second Given Name
	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
	Post Office Address	Post Office Address	City	State & Zip Code/Country
Signature of Inventor 205:			Date:	

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;
- or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
- (1) Each inventor named in the application;
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

INSTRUCTIONS

ASSIGNMENT OF U.S. RIGHTS TO CORPORATION

WHEREAS,

Inventor(s) Name,
Address, Citizenship

1. Yoshitomo IHASHI residing at
4-1, Chuo 1-chome, Wako-shi, Saitama, JAPAN
and a citizen of Japan;
2. _____ residing at

and a citizen of _____;
3. _____ residing at

and a citizen of _____;
4. _____ residing at

and a citizen of _____;
5. _____ residing at

and a citizen of _____;

Date Patent Declaration
Signed and Title Serial
No. and filing date (if
known)

(herein called "THE UNDERSIGNED") have made an invention and have
executed an application for Letters Patent of the United States on _____ for
this invention, which application is entitled STRUCTURE OF DOOR
OPENING/CLOSING APPARATUS
and which has been given Serial Number _____,
and the filing date of _____;

Name of Corporation

AND WHEREAS Honda Giken Kogyo Kabushiki Kaisha (herein
called "ASSIGNEE"), a corporation organized under the laws of Japan,
and having an office and place of business at 1-1, Minamiaoyama 2-chome,
Minato-ku, Tokyo, Japan

State or Country of
Incorporation and Address

wishes to acquire the entire right, title and interest in and to said invention and
patent application and any Letters Patent to be obtained therefor;

NOW, THEREFORE, for and in consideration of the sum of One Dollar and
other good and valuable consideration, the receipt and sufficiency of which is
hereby acknowledged, THE UNDERSIGNED hereby sell, assign and transfer to
the ASSIGNEE, its successors and assigns, the entire right, title and interest for
the United States in and to the invention disclosed in the aforesaid application,
and in and to the said application, all divisions, continuations, or renewals
thereof, all Letters Patent which may be granted therefrom, and all reissues or
extensions of such patents, and THE UNDERSIGNED hereby authorize and
request the Commissioner of Patents to issue any and all United States Letters
Patent for the aforesaid invention to the ASSIGNEE of the entire right, title and
interest in and to the same, for the use of the ASSIGNEE, its successors and
assigns.

THE UNDERSIGNED hereby agree that THE UNDERSIGNED, their
executors and legal representatives will make, execute and deliver (without
charge but at the expense of the ASSIGNEE) any and all other instruments in
writing including any and all further application papers, affidavits, assignments
and other documents, and will communicate to said ASSIGNEE, its successors
and representatives all facts known to THE UNDERSIGNED relating to said
invention and the history thereof and will testify in all legal proceedings and
generally do all things which may be necessary or desirable to vest the
ASSIGNEE, its successors or assigns the entire right, title and interest in and to
the said invention, applications, Letters Patent, rights, titles, benefits, privileges
and advantages hereby sold, assigned and conveyed, or intended so to be.

THE UNDERSIGNED represent and agree with said ASSIGNEE its successors
and assigns, that no assignment grant, mortgage, license or other agreement
affecting the rights and property herein conveyed has been or will be made to

others by THE UNDERSIGNED, and that full right to convey the same as herein expressed is possessed by THE UNDERSIGNED.

IN TESTIMONY WHEREOF, THE UNDERSIGNED have hereunto set their hand on the dates indicated below.

Each inventor must sign & date

Yoshitomo Ihashi
Signature Yoshitomo IHASHI

July 10, 2003
Date

Note: No legalization or other witness required

Signature

Date

Signature

Date

Signature

Date

Signature

Date